

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

December 8, 2005 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR. 05-00124HG
CASE NAME: U.S.A. vs. CARLOS ANTONIO HARRIS, aka "Carlos Anthony Harris", aka "Mugsy"
ATTYS FOR PLA: Beverly Wee Sameshima
Lawrence Peralty, Case Agent, DEA
ATTYS FOR DEFT: Gurmail G. Singh
U.S.P.O.: Ellie Asasaki

JUDGE: Helen Gillmor

REPORTER: Stephen Platt

DATE: December 8, 2005

TIME: 3:00 - 3:25

COURT ACTION: SENTENCING TO THE INFORMATION -
GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE -

The defendant is present in custody.

The Government's Motion for Downward Departure is GRANTED.

Allocution by the defendant.

ADJUDGED: Impr of 121 mos.

SUPERVISED RELEASE: 5 yrs upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.

5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Final litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitted to periodic debtor's examinations as directed by the Probation Office.
9. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
10. Without the prior written approval of the Probation Office, the defendant shall not enter the "Operation Weed and Seed" target area which is bordered by Lunalilo Freeway, Nuuanu Avenue, Bethel Street, Nimitz Highway, North King Street, Dillingham Boulevard, and Kokea Street, as depicted in the map to be attached to the Judgment.

Special assessment: \$100.

Advised of rights to appeal the sentence, etc.

RECOMMENDATIONS: Placement at Federal Medical Center for evaluation and treatment closest to his parents in Tylersville, FL. After that, recommend Coleman or Eglin, FL. In addition, that the defendant participate in drug treatment, educational and vocational training programs.

Submitted by: David H. Hisashima, Courtroom Manager

